



House of Representatives

General Assembly

File No. 97

January Session, 2003

Substitute House Bill No. 6556

House of Representatives, March 31, 2003

The Committee on Environment reported through REP. WIDLITZ of the 98th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING FORESTRY MANAGEMENT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 23-20 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 The Commissioner of Environmental Protection shall administer the
4 statutes relating to forestry and the protection of forests. [He] The
5 commissioner may employ such field and office assistants as may be
6 necessary for the execution of [his] the commissioner's duties. [He] The
7 commissioner may, from time to time, publish the forestry laws of the
8 state and other literature of general interest and practical value
9 pertaining to forestry. [He] The commissioner may enter into
10 cooperation with departments of the federal government for the
11 promotion of forest resource management and protection within the
12 state. [He] The commissioner may with the assistance of the State
13 Forester develop and administer plans for the protection and
14 management of publicly-owned woodlands. Such plans shall include,

15 but not be limited to, proposals for the establishment of forest
16 plantations and the marketing of forest products. [He] The
17 commissioner shall apply to have products from state woodlands or
18 state woodlands, as applicable, certified or licensed under one or more
19 of the following: (1) The sustainable Forestry Initiative Program, (2) the
20 American Tree Farm System, (3) the Canadian Standards Association's
21 Sustainable Management System Standards, (4) the Finnish Standard,
22 (5) the Forest Stewardship Council, (6) the Pan-European Forest
23 Certification Program, (7) the Swedish Standards, (8) the United
24 Kingdom Woodland Assurance Scheme, or (9) the Smart Wood
25 Program as administered by the Rainforest Alliance and implement
26 any sustainable forestry practice necessary for such certification or
27 licensure. The commissioner may accept any gifts, donations or
28 bequests for the purpose of applying for and obtaining such
29 certification or licensure. The commissioner may harvest forest
30 products from woodlands owned by the state and take such other
31 measures [as he] the commissioner deems necessary for their efficient
32 management and protection, may sell wood, timber and other
33 products from any state woodlands whenever [he] the commissioner
34 deems such sales desirable and may develop recreational facilities in
35 the woodlands managed by the Department of Environmental
36 Protection. [He] The commissioner shall charge no less than ten dollars
37 per cord for any such wood or timber sold as fuel. [He] The
38 commissioner may rent state forest property and buildings thereon
39 under [his] the commissioner's jurisdiction for a period not exceeding
40 twenty-five years, provided any lease for such property and building
41 for a term of more than ten years shall be subject to the review and
42 approval of the State Properties Review Board. The proceeds of such
43 sales, rentals and any receipts resulting from management of the state
44 forests, or from reimbursements from other state departments or state
45 institutions, shall be deposited in the General Fund in accordance with
46 the provisions of section 4-32, provided the amount of annual proceeds
47 in excess of eight hundred thousand dollars, derived from the sale of
48 wood, timber and other products from state woodlands, shall be
49 deposited in the Conservation Fund, as established in section 22a-27h.

50 Expenditures incurred by the commissioner for the protection,
51 management and development of the forests, the preparation and
52 marketing of forest products and the acquisition of land for the
53 extension and completion of the state forests as provided in section 23-
54 21 shall be paid with moneys appropriated from the General Fund.
55 The provisions of this section shall not apply to land owned or
56 managed by the state on which forest resource management measures
57 may be restricted by deed, statute, or incompatible use. As used in this
58 section, woodland means land owned or managed by a state agency
59 and stocked with forest tree species not less than six hundred stems
60 per acre and at least one year old.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>

ENV *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$	FY 06 \$
Department of Environmental Protection	General Fund or Conservation Fund - Cost	34,500	5,000	5,000
Department of Environmental Protection	Conservation Fund - Revenue Gain	Indeterminate	Indeterminate	Indeterminate

Note: Conservati=Conservation Fund

Municipal Impact: None

Explanation

Requiring the Commissioner of the Department of Environmental Protection to apply for certification or licensure from at least one of the specified sustainable forest programs for state woodlands and state woodlands products, would increase costs to the state. The Department of Environmental Protection (DEP) has had a pre-certification evaluation from one of the programs. The cost to DEP for pre-certification under the Smart Wood Program was \$3,000. If certification or licensure is required, an additional \$34,500 will be necessary for a full review in FY 04. Funds in the amount of \$5,000 will be needed for the annual reviews and program fees starting in FY 05 and \$12,000 for the 5 year re-certification under the Smart Wood Program. The cost of the licensure or certification of the other specified programs is unknown at this time. The bill authorizes the DEP to accept gifts, donations, and bequests to apply towards the costs of certification and licensure. The department anticipates that funds will be available for these initial costs from non-profit organizations. If outside funds are not available, costs will be incurred by the state.

The legislation also requires DEP to deposit any revenue over \$800,000 per year from the sale of wood, timber and any other projects from state woodlands into the Conservation Fund. The Fund is used to pay for conservation, recreation, and natural resource programs and administration. Revenue from these sales is currently deposited into the General Fund and varies depending on the number of DEP foresters and the market. Total revenue for the products was \$1,527,000 in FY 2000, \$1,133,000 in FY 2001, \$737,000 in FY 2002 and estimated at \$735,000 in FY 2003. There were 11 foresters in FY 2000 and 2001 and 9 in FY 2002 and 2003. The DEP is anticipating the loss of at least 1 additional forester this year, which could result in a further decline in revenue. Therefore, it is anticipated that this change would preclude any future revenue gain over the \$800,000 base to the General Fund and result in a future revenue gain to the Conservation Fund.

OLR Bill Analysis

sHB 6556

AN ACT CONCERNING FORESTRY MANAGEMENT**SUMMARY:**

This bill requires the environmental protection commissioner to apply for certification or licensure of state woodlands and state woodland products under at least one of nine specified sustainable forest programs, and to implement any sustainable forestry practice needed to obtain such certification or licensure. It authorizes him to accept gifts, donations, and bequests for the purposes of applying for and obtaining such certification or licensure.

The bill requires the commissioner to deposit into the Department of Environmental Protection's (DEP) Conservation Fund annual proceeds from the sale of wood, timber, and other state woodland products that exceed \$800,000. DEP uses the fund to administer its central office and its conservation and preservation programs. Under current law, the commissioner must deposit all proceeds from the management of state forests into the General Fund.

The bill also makes technical changes.

EFFECTIVE DATE: October 1, 2003

CERTIFICATION AND LICENSURE PROGRAMS

The commissioner must apply for certification or licensure under at least one of the following sustainable forest programs:

1. Sustainable Forestry Initiative Program,
2. American Tree Farm System,
3. Canadian Standards Association's Sustainable Management System Standards,
4. Finnish Standard,

5. Forest Stewardship Council,
6. Pan-European Forest Certification Program,
7. Swedish Standards,
8. United Kingdom Woodland Assurance Scheme, and
9. Smart Wood Program as administered by the Rainforest Alliance.

These programs employ a variety of environmental principles, such as protecting water quality, preventing soil erosion, promoting biodiversity and protecting endangered species, to ensure that woodlands remain healthy and productive.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 25 Nay 0